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8 Attorneys for Plaintiffs
9 Winery Asset Management, Inc., .. .

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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 WINERY ASSET MANAGEMENT, INC., a
16 California corporation,

17 Plaintiff,

18 v.

19 CHUBB & SON INC., VIGILANT
20 INSURANCE COMPANY, and DOES 1
21 through 100, inclusive,

22 Defendants.

23 Case No. C06-03605 MMC

24 STIPULATION TO SUBSTITUTE
25 DEFENDANT

Date: August 15, 2006
Time: 9:00 a.m.
Place: Courtroom E

26 *Unlimited Civil*

27 Plaintiffs WINERY ASSET MANAGEMENT, INC., a California corporation, and
28 Defendants, CHUBB & SON INC. and VIGILANT INSURANCE COMPANY, by and through
their respective attorneys, hereby stipulate that:

29 1. On June 26, 2006, Defendant Chubb & Son, Inc. filed a Motion to Dismiss. In
30 that motion, Chubb & Son, Inc. represented that it was not involved in the decision regarding
31 insurance coverage, which is the subject matter of this case. Instead, it represented that the entity
32 involved was Chubb & Son, a division of Federal Insurance Company.

33 2. Chubb & Son, a division of Federal Insurance Company, will be substituted into
34 the lawsuit in the place of Chubb & Son, Inc. Upon entry by the Court of this Stipulation, the
35 caption of the instant action shall be amended to read "Winery Asset Management, Inc. v. Chubb

36 Stipulation to Substitute Defendant

37 Case No.: C06-03605 MMC

1 & Son, a division of Federal Insurance Company, et al.," and references to Chubb & Son Inc. in
2 the Complaint on file in the instant action shall be deemed to refer to Chubb & Son, a division of
3 Federal Insurance Company.

4 3. Chubb & Son, Inc. has taken its pending Motion to Dismiss off calendar.

5 4. Chubb & Son, a division of Federal Insurance Company, will have twenty (20)
6 days from the date of entry of an Order on this Stipulation to respond to the Complaint on file in
7 the instant action.

8
9 Dated: 8/4/06

TRESSLER, SODERSTROM, MALONEY & PRIESS, LLP

10 By:

11 Rina Carmel
12 Attorneys for Defendants
13 Chubb & Son Inc., and
Vigilant Insurance Company

14 Dated: 8/4/06

CARLE, MACKIE, POWER & ROSS, LLP

15 By:

16 Dawn M. Ross
17 Attorneys for Plaintiff
18 Winery Asset Management, Inc.

19 IT IS SO ORDERED.

20 Dated: August 7, 2006

21 
22 Honorable Maxine M. Chesney

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CARLE, MACKIE,
POWER & ROSS LLP

Stipulation to Substitute Defendant